

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office MAR 14 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAR 14 2008

The applicant Richard V. Taras, Trustee of the Richard V. Taras Trust, dated November 10th, 1995

5880 Eastlake Blvd.

Street Address or P.O. Box

of Carson City

City or Town

Nevada 89704

State and Zip Code

, hereby make(s) application for permission to change the

☐ Point of diversion

☒ Place of use

☒ Manner of use

☐ of a portion

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit No. 15759, Certificate 4317

1. The source of water is Deadman's Spring

Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.25 cfs, 58.00 acre-feet annually

Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation

Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use.

4. The water heretofore used for Irrigation and domestic

If for stock, state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)

Within the SE1/4 of the SE1/4 of Section 17, T.16N., R.20E., M.D.M., or at a point from which the SE corner of said Section 17 bears South 31°00' East a distance of 1050 feet. See map accompanying this application.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

The point of diversion is not changed.

89-2-12

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Within the SE1/4 of the SE1/4 of Section 17 and the SW1/4 SW1/4 of Section 16, T.16N., R.20E., M.D.M.. A portion of APN 050-351-47, the exact location to be determined upon Proof of Beneficial Use. Water will be applied at the duty of 4.0 acre feet per acre. See map accompanying this application.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

7.2 acres within the NE 1/4 of the NE 1/4 and 7.3 acres in the SE 1/4 of the NE 1/4 of Section 17, T.17N., R.20E., M.D.M.. See map accompanying this application.

16

9. Proposed use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Existing use permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

Existing storage pond and diversion structure. Water meter and pipelines to irrigation system.

12. Estimated cost of works \$10,000

13. Estimated time required to construct works 1 month
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 1 year

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)

The proposed use of the spring water is irrigation of prepared land for use as permanent pasture for the grazing of horses and other stock animals. See attached EXHIBIT A for explanation of the need for a temporary permit.

16. Miscellaneous remarks:

A portion of the water produced by the spring shall remain unused for the benefit of local wildlife.

(775) 358-9491

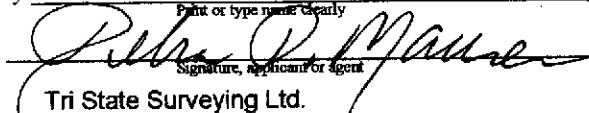
Phone No.

DMaurer@TriStateLtd.com

E-mail

By Debra D. Maurer

Print or type name clearly



Signature, Applicant or Agent

Tri State Surveying Ltd.

Company Name

1925 E. Prater Way

Street Address or P.O. Box

Sparks, NV 89434

City, State, Zip Code

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

\$100 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION



Land Information Solutions

TRI STATE SURVEYING, Ltd.

1925 E. Prater Way, Sparks, Nevada 89434
Telephone (775) 358-9491 ♦ FAX (775) 358-3664
Toll Free: 1-800-411-3752

March 14, 2008
Job Number 07341.01.RM

Malcolm Wilson
Division of Water Resources
901 South Stewart St.
Carson City, NV 89701

Subject: Temporary Application to Change Permit No. 15759 for Richard V. Taras Trust

Dear Mr. Wilson:

This letter is being submitted to provide an explanation for the urgency of the above referenced temporary application.

The certificated Place of Use under Permit No. 15759, Certificate No. 4317, is land not owned or controlled by the applicant, Richard V. Taras Trust. The point of diversion, however, is situate on land that is owned and controlled by the applicant.

Mr. Taras holds a Water Rights Deed to all of the subject Permit (attached). However, there remains a question as to whether or not the Grantor actually held title as shown on the deed.

Mr. Taras filed an Application to Appropriate at the subject point of diversion (Deadman's Spring; App. No. 76510) which was denied by your office. In the meantime, Mr. Taras has constructed works, prepared the soil and planted pasture seed on a portion of his land under the assumption that the water from Deadman's Spring would be his to utilize by this coming irrigating season.

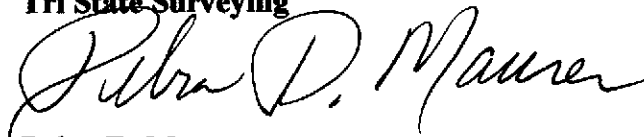
According to the standard protocol for publishing and processing Applications to Change, the earliest the permanent application could be "ready for action" would be the third week of May 2008. Additional time would be needed to clear up title issues, request and remit permit fees and issue the permit. These necessary delays would push the permit's signing date too far into the 2008 irrigating season, and the applicant's pasture seed, which represents a substantial investment, would be lost, hence the need for a temporary permit. Expediting this process would also serve to decrease the potential for any conflict between the parties involved.

This office is currently in the process of researching and verifying the chain of title and is prepared to remedy any issues or deficiencies required to convey the title to Permit No. 15759 to Mr. Taras. It is anticipated that an abstract of title and Report of Conveyance will be submitted to your office by the time the permanent Application to Change (also being submitted on this date) is "ready for action".

Boundary Surveys ♦ Water Rights ♦ Land Divisions ♦ Construction Surveys ♦ Global Positioning ♦ Aerial Photogrammetry

Thank you for your prompt review of this application. Please contact me with any additional questions or if I can be of further assistance.

Respectfully,
Tri State Surveying

A handwritten signature in black ink, reading "Debra D. Maurer". The signature is fluid and cursive, with the first name "Debra" being more prominent than the last name "Maurer".

Debra D. Maurer
Senior Water Rights Technician
Agent for Richard V. Taras